

DOWD, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

Whitacre Engineering Company

Plaintiff(s),

v.

Sprint Spectrum, L.P., et al

Defendant(s).

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CASE NO. 5:07CV2628

JUDGMENT ENTRY

The Court hereby adopts Magistrate Judge Pearson's Report and Recommendation (see docket #89) filed March 26, 2009, recommending the dismissal of all pending claims without prejudice and that the dismissal shall be superseded by the parties' Rule 41 entry which should be filed by April 3, 2009 or as soon as practicable after April 2, 2009. The Magistrate Judge will remains available to assist in the finalization of the terms of the settlement agreement, if needed. Should the parties desire the Court to consider retention of jurisdiction over the settlement, then the parties shall submit (under seal) a copy of the final settlement agreement for Judge Dowd's review and possible future reference.

(5:07CV2628)

IT IS ORDERED that the docket be marked, "Settled and dismissed, without prejudice."

IT IS FURTHER ORDERED that each party is to bear its own costs. Any subsequent order setting forth different terms and conditions relative to costs shall also supersede the within order.

March 27, 2009
Date

/s/ David D. Dowd, Jr.
David D. Dowd, Jr.
U.S. District Judge